

REMARKS/ARGUMENTS

In the Office Action, the Examiner rejects Claims 1-11, 18-29, 33, 35-45, and 47-50 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,671,355 to Spielman et al. ("Spielman") in view of U.S. Pat. App. Pub. No. 2003/0061289 to Clissold et al. ("Clissold"). Claims 12-14, 30-32, 34, and 46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Spielman in view of Clissold and further in view of U.S. Pat. App. Pub. No. 2006/0017983 to Syri et al. ("Syri"). Claims 15-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Spielman in view of Clissold and further in view of Syri and further in view of U.S. Pat. App. Pub. No. 2004/0153523 to Albal ("Albal").

Applicants appreciate the Examiner and the supervisory Examiner granting the telephonic interview of October 1, 2008. During the interview, Applicants explained their position that the combination of Spielman and Clissold does not teach or suggest independent Claims 1, 10, 22, 29, 36, and 45 as well as whether proposed amendments to Claim 1 would overcome the § 103 rejection.

Although Applicants believe the claims to already be patentably distinct from the cited references, taken alone or in combination, Applicants have amended independent Claims 1, 10, 22, 29, 36, and 45 to further distinguish the cited references in order to expedite the examination process. Applicants have further cancelled Claims 4-5, 20-21, 35, 40, and 50. New Claim 51, dependent on Claim 1 has been added and is fully supported by at least paragraph 30 of the published application. In light of the amendments and subsequent remarks, Applicants respectfully submit that the amended claims are patentably distinct from the cited references, taken alone or in combination, and are in condition for allowance.

The Rejection of Independent Claims 1, 22, and 36 under §103(a) is Overcome

The Examiner finds that independent Claims 1, 22, and 36 are obvious in light of the combination of Spielman and Clissold. Independent Claims 1, 22, and 36 are directed to a method, device, and computer program product for determining one or more recipients of a generic-recipient message. For example, a method according to amended

independent Claim 1 includes receiving a generic-recipient message at a network hub. The generic-recipient message comprises a message sent to a group or community address. The method additionally includes determining predefined attributes of the message. The predefined attributes comprise one or more of a sender of the message, subject of the message, or content of the message. The method further includes determining one or more recipients for the message based at least in part upon the predefined attributes by comparing the predefined attributes of the message with stored information related to potential recipients. Claims 22 and 36 include similar recitations. Although not included in Claims 22 and 36, Claim 1 includes the additional recitation of dispatching the message to one or more recipients.

The Office Action relies on Spielman as teaching receiving a generic recipient message. However, as previously argued, Spielman does not relate to the receipt and routing of generic-recipient messages as claimed by independent Claims 1, 22, and 36 and instead teaches determining a means of receipt for a message directed to a designated subscriber based upon subscriber preferences. In this regard, Spielman relates to receipt and distribution of “generic notification messages” (Col. 4, line 63 of Spielman) which have a designated recipient, i.e. a subscriber, but not a defined method of notification, i.e. delivery. Accordingly, Spielman teaches determining a subscriber notification preference for delivery of the generic notification message to the designated subscriber by accessing subscriber profile information. These methods of delivery include a specified e-mail address, specified cellular telephone number, and a specified cellular telephone identifier for SMS messages. *See, e.g.,* Col 6, lines 35-40 of Spielman.

In spite of these distinctions, Applicants previously amended independent Claim 1, 22, and 36 to recite that the generic-recipient message is sent to a group or community so as to further patentably distinguish Spielman. The latest Office Action relies on Clissold as disclosing that the generic-recipient message is sent to a group or community. However, at most, Clissold teaches a distribution list comprising a list of specific e-mail addresses formed by a sender of the e-mail. In this regard, Clissold states that “[t]o make it easy on a user who consistently sends messages to a particular group of recipients, most e-mail software tools allow the user to enter the address of each recipient in the group into a file called a distribution list.” *See, e.g.,* Paragraph 5 of Clissold. Accordingly, the

user sending a message to a group as taught by Clissold must know each of the individuals comprising the group and must define a file including the e-mail addresses of each of the members of the group.

In stark contrast to Clissold, a generic-recipient message comprises a message sent to a group or community wherein the sender of the message may be unaware of the individuals that form the group. In fact, the present application specifically distinguishes between the prior art of Clissold and generic-recipient messages, stating:

Email allows an individual to send a group email to multiple recipients; however, in this regard the user forms the group email address from a collection of known individual email addresses. In practice, the group email provides person-to-person communication to multiple recipients. The group email communication does not allow the sender to send an email correspondence to a group if the sender is unaware of the individuals that form the group. *See, e.g.,* paragraph 4 of the present application.

Thus, Clissold merely teaches bulk person-to-person communication and not person-to-group or person-to-community generic-recipient messages as recited by independent Claims 1, 22, and 36.

In spite of the clear differences between the cited references and the claim recitation, Applicants have refined Claims 1, 22, and 36 to recite the generic-recipient message comprises a message sent to a group or community address so as to further highlight the patentable distinctions between the claimed invention and the cited references. In this regard, the revised claim recitation emphasizes that the generic-recipient message is sent to a group or community address and not a plurality of addresses as in Clissold. For example, a generic-recipient email message may be sent to “a generic Company X email address.” *See, e.g.,* paragraph 6 of the present application. In another example, a generic-recipient voice message may be sent to “Company X’s main switchboard,” rather than a specific individual. *See, e.g.,* paragraph 7 of the present application. Accordingly, Applicants respectfully submit that neither Spielman nor Clissold, taken alone or in combination, teaches or suggests receiving a generic-recipient message, wherein the generic-recipient message comprises a message sent to a group or

community address.

Applicants have further amended independent Claims 1, 22, and 36 to recite that the predefined attributes comprise one or more of a sender of the message, subject of the message, or content of the message. Support for this amendment may be found at least at paragraph 30 of the published application. In this regard, these predefined attributes are determined. In contrast, at most, Spielman teaches determining a designated recipient, i.e., subscriber of a message, but does not teach or suggest determining a sender of the message, subject of the message, or content of the message.

Claims 1, 22, and 36, further recite determining one or more recipients for the message based at least in part upon the predefined attributes and have been amended to further recite that this determination is performed by comparing the predefined attributes of the message with stored information related to potential recipients. This recitation is similar to that of now-cancelled, dependent Claim 5, which the Office Action posits is taught by Spielman. However, as amended, Claims 1, 22, and 36 now require comparing the predefined attributes comprising one or more of a sender of the message, subject of the message, or content of the message with stored information related to potential recipients to determine one or more recipients for the message. Accordingly, one or more recipients for the generic-recipient message are determined by comparing the determined sender attributes of the message, subject attributes of the message, and/or content attributes of the message to stored information related to potential recipients to determine one or more appropriate recipients for handling the generic-recipient message. *See, e.g.,* paragraph 69 of the published application.

In contrast, at most Spielman teaches determining a recipient device by identifying a notification recipient from a received notification message, accessing a subscriber directory, and looking up the identified notification recipient in the subscriber directory to determine the subscriber's defined notification preference. *See, e.g.,* Col. 8, lines 30-41 of Spielman. Accordingly, Spielman does not teach or suggest determining predefined attributes of a sender of the message, subject of the message, or content of the message, let alone determining one or more recipients for the message based at least in part upon the predefined attributes. Further, Spielman at most teaches comparing an identified recipient with the single identified recipient's predefined message receipt

preferences, but does not teach or suggest comparing attributes of a message sender, subject, or content to stored information related to multiple potential recipients as recited in independent Claims 1, 22, and 36.

Accordingly, neither Spielman nor Clissold, taken alone or in combination, teaches or suggests independent Claims 1, 22, and 36. Nor do any of the other cited references, taken alone or in combination, teach or suggest the recitations of these claims. Therefore, Applicants submit that independent Claims 1, 22, and 36 are patentably distinct from the cited references and that the rejection of independent Claims 1, 22, and 36 is overcome and the claims are in condition for allowance.

The Rejection of Independent Claims 10, 29, and 45 under §103(a) is Overcome

The Examiner finds that independent Claims 10, 29, and 45 are obvious in light of the combination of Spielman and Clissold. Independent Claims 10, 29, and 45 are directed to a method, device, and computer program product for prioritizing a generic-recipient message. For example, a method according to Claim 10 includes receiving a generic-recipient message. The generic-recipient message comprises a message sent to a group or community address. The method further includes determining predefined attributes of the message, wherein the predefined attributes comprise one or more of a sender of the message, subject of the message, or content of the message. The method additionally includes determining whether the message has priority based on the predefined attributes by comparing the predefined attributes of the message with pre-stored priority information. Claims 29 and 45 include similar recitations and are directed to a device and computer program product, respectively. Although not included in Claims 29 and 45, Claim 10 additionally includes prioritizing the message if a determination is made that the message has priority.

Applicants have amended independent Claims 10, 29, and 45 to define a generic-recipient message as comprising a message sent to a group or community address. Accordingly, Applicants submit that independent Claims 10, 29, and 45 are patentably distinct from Spielman and Clissold, taken alone or in combination, for at least those reasons stated above as neither reference teaches or suggests a generic-recipient message

as recited by Claims 10, 29, and 45.

Applicants have further amended Claims 10, 29, and 45 to recite that the predefined attributes comprise one or more of a sender of the message, subject of the message, or content of the message. As discussed above, neither Spielman nor Clissold, teaches or suggests determining predefined attributes of a generic-recipient message comprising one or more of a sender of the message, subject of the message, or content of the message. Accordingly, Applicants submit that independent Claims 10, 29, and 45 are patentably distinct from Spielman and Clissold, taken alone or in combination, for at least those reasons stated above in connection with Claims 1, 22, and 36.

Claims 10, 29, and 45, further recite determining whether the message has priority based at least in part upon the predefined attributes and have been amended to further recite that this determination is performed by comparing the predefined attributes of the message with pre-stored priority information. This recitation is similar to that of now-cancelled, dependent Claim 21, which the Office Action posits is taught by Spielman. However, as amended, Claims 10, 29, and 45 now require comparing the predefined attributes comprising one or more of a sender of the message, subject of the message, or content of the message with pre-stored priority information to determine whether the message has priority. Accordingly, a determination is made as to whether the generic-recipient message has priority by comparing the determined sender attributes of the message, subject attributes of the message, and/or content attributes of the message to pre-stored priority information. The pre-stored priority information may, for example, comprise a listing of attributes requiring priority. *See*, e.g., paragraph 66 of the published application.

In contrast to the priority determination recited in Claims 10, 29, and 45, Spielman at most teaches “extract[ing] selected portions of notification information from the notification message...[I]tems that may be extracted from the received notification message include:...the priority of the message...” *See*, Col. 6, lines 46-56 of Spielman. Thus, Spielman merely teaches extracting priority information that is included within the received notification message and including that information within a notification message sent to the designated recipient in accordance with the subscriber-designated protocol. Accordingly,

Spielman does not teach or suggest determining whether the message has priority based upon predefined attributes. Moreover, Spielman does not even remotely suggest comparing the predefined attributes to stored priority information to determine whether the generic-recipient message has priority. Nor for that matter, do any of the other cited references cure the defects of Spielman.

Accordingly, none of the cited references, taken alone or in combination, teaches or suggests independent Claims 10, 29, and 45. Therefore, Applicants submit that independent Claims 10, 29, and 45 are patentably distinct from the cited references and that the rejection of independent Claims 10, 29, and 45 is overcome and the claims are in condition for allowance.

The Dependent Claims are Patentably Distinct from the Cited References

Because the dependent claims include each of the recitations of a respective independent claim, Applicants further submit that the dependent claims are patentably distinct from the cited references, taken alone or in combination, for at least the reasons discussed above and are in condition for allowance.

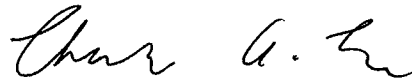
In addition, with respect to Claim 16, Applicants respectfully submit that none of the cited references, taken alone or in combination, teach or suggest prioritizing the communication medium used to dispatch the message. The Office Action cites Albal as teaching this recitation. However, Albal at most teaches prioritizing how quickly an e-mail message is sent, but not prioritizing a communication medium used to dispatch a message. Accordingly, Applicants submit that Claim 16 is patentably distinct from the cited references, taken alone or in combination. Therefore, the rejection of Claim 16 is overcome and Claim 16 is in condition for allowance.

CONCLUSION

In view of the amended claims and remarks presented above, it is respectfully submitted that all of the present claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Charles A. Leyes
Registration No. 61,317

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

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